

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE**

**IN RE: AME CHURCH EMPLOYEE )  
RETIREMENT FUND LITIGATION )  
                                  )**                                   **MDL NO: 3035**

**PLAINTIFFS' MOTION FOR STATUS CONFERENCE & REQUEST TO STAY  
ALL DEADLINES UNTIL THE STATUS CONFERENCE**

Plaintiffs Rev. Pearce Ewing and Rev. Charles R. Jackson (“Plaintiffs”) hereby move this Court, pursuant to Federal Rule of Civil Procedure 16(a), to convene a status conference at the Court's earliest convenience to address some initial matters in this litigation now that the Judicial Panel on Multidistrict Litigation (JPML) has consolidated all related cases into this Multi-District Litigation (MDL). Additionally, in the interests of judicial economy and a more orderly pleading stage, Plaintiffs ask the Court to consider staying all deadlines until a schedule can be established for the filing of consolidated pleadings and responses.

At an initial status conference, Plaintiffs suggest that the Court address at least the following matters: (1) Plaintiffs leadership structure; (2) a schedule for Plaintiffs to file a consolidated complaint, Defendants’ responses to same, and a Rule 26(f) conference; (3) why the AME Church has, on its own initiative, mailed checks from Symetra Financial to named-Plaintiffs that indicate the payment as a “full surrender disbursement”; and (4) any further issues which the Court deems appropriate in this case. In support of this request, Plaintiffs state the following:

1.       On March 22, 2022, Rev. Ewing filed a complaint against Newport Group, Inc. and others arising from the AME Church’s announcement that it had uncovered “financial irregularities” in its retirement fund. It ultimately announced that at least \$90,000,000 appeared to be missing.

2. Five other lawsuits were subsequently filed in various jurisdictions, including the lawsuit by Rev. Charles R. Jackson.

3. Plaintiff Ewing filed a motion on April 2, 2022 under 14 U.S.C. § 1407 to have those cases consolidated into an MDL and transferred to the Western District of Tennessee for coordinated pre-trial proceedings.

4. That motion was granted by the JPML on June 2, 2022, creating this MDL.

5. Plaintiffs Rev. Ewing and Rev. Jackson respectfully submit that all Parties would benefit from a status conference to discuss: (1) Plaintiffs leadership structure; (2) a schedule moving forward (particularly with respect to the filing of a consolidated amended complaint, responses thereto, the filing of any additional third-party claims, and initiating discovery); (3) why the AME Church has, on its own initiative, mailed checks from Symetra Financial to named-Plaintiffs that indicate the payment as a “full surrender disbursement”; and (4) any other matters that the Court deems appropriate. Rev. Ewing and Rev. Jackson request that such a conference occur at the Court’s earliest convenience.

6. The undersigned conferred with counsel for Newport Group, Symetra, AME Church, and Dr. Harris, who have all stated that they do not object to Plaintiffs moving for a status conference. Counsel for all other plaintiffs have also indicated their support.

Dated June 22, 2022

Respectfully submitted,

*/s/ J. Gerard Stranch, IV*  
J. Gerard Stranch, IV, (BPR 23045)  
Benjamin A. Gastel, (BPR 28699)  
**BRANSTETTER, STRANCH**  
**& JENNINGS, PLLC**  
223 Rosa L. Parks Avenue, Suite 200  
Nashville, Tennessee 37203  
Phone: (615) 254-8801  
Fax: (615) 255-5419  
[gerards@bsjfirm.com](mailto:gerards@bsjfirm.com)  
[beng@bsjfirm.com](mailto:beng@bsjfirm.com)

Joseph A. Osborne, Esq., *pro hac vice*  
Gregorio Francis, Esq., *pro hac vice*  
**Osborne & Francis Law Firm PLLC**  
433 Plaza Real, Suite 271  
Boca Raton, FL 33432  
Tel: (561) 293-2600;  
Fax: (561) 923-8100  
Email: [josborne@realtoughlawyers.com](mailto:josborne@realtoughlawyers.com)  
Email: [gfrancis@realtoughlawyers.com](mailto:gfrancis@realtoughlawyers.com)

*Counsel for Movant Rev. Charles R. Jackson*

Matthew E. Lee, *pro hac vice*  
Mark R. Sigmon, *pro hac vice*  
Jeremy R. Williams, *pro hac vice*  
Sarah J. Spangenburg, *pro hac vice*  
**MILBERG COLEMAN BRYSON**  
**PHILLIPS GROSSMAN, PLLC**  
900 W. Morgan Street  
Raleigh, NC 27603  
Tel: 919-600-5000  
Fax: 919-600-5035  
[mlee@milberg.com](mailto:mlee@milberg.com)  
[msigmon@milberg.com](mailto:msigmon@milberg.com)  
[jwilliams@milberg.com](mailto:jwilliams@milberg.com)  
[sspangenburg@milberg.com](mailto:sspangenburg@milberg.com)

*Counsel for Movant Rev. Pearce Ewing*

## **CERTIFICATE OF SERVICE**

I, J. Gerard Stranch, IV, hereby certify that on June 22, 2022, a copy of the foregoing was electronically filed with the Clerk of the Court using the Court's CM/ECF system, which will send notification of the filing to the following:

P. Ryan Beckett  
BUTLER SNOW LLP-Ridgeland  
P.O. Box 6010  
1020 Highland Colony Pkwy., Ste. 1400 (39157)  
Ridgeland, MS 39158-6010  
601-948-5711  
601-985-4500 (fax)  
[ryan.beckett@butlersnow.com](mailto:ryan.beckett@butlersnow.com)

Daniel Warren Van Horn  
BUTLER SNOW LLP  
Crescent Center  
6075 Poplar Avenue  
5th Floor  
Memphis, TN 38119  
901-680-7331  
901-680-7201 (fax)  
[danny.vanhorn@butlersnow.com](mailto:danny.vanhorn@butlersnow.com)

Christina Wahl  
Berkowitz Oliver LLP-KCMO  
2600 Grand Boulevart, Suite 1200  
Kansas City, MO 64108  
816-561-7007  
816-561-1888 (fax)  
[cwahl@berkowitzoliver.com](mailto:cwahl@berkowitzoliver.com)

*Attorney for Defendant Family Dollar, Inc.*

Katherine Church Campbell  
Marshall S. Ney  
Friday, Eldredge & Clark, LLP  
3550 South Pinnacle Hills Parkway, Suite 301  
Rogers, AR 72758  
479-695-6040  
[kcampbell@fridayfirm.com](mailto:kcampbell@fridayfirm.com)

Christopher Chorba  
GIBSON, DUNN & CRUTCHER LLP  
333 South Grand Avenue  
Los Angeles, CA 90071-3197  
Tel.: (213) 229-7396  
Fax: (213) 229-6396  
[CChorba@gibsondunn.com](mailto:CChorba@gibsondunn.com)

Jason Meltzer  
GIBSON, DUNN & CRUTCHER LLP  
1050 Connecticut Avenue N.W.

Washington, DC 20036-5306  
Tel: (202) 955-8676  
Fax: (202) 530-9514  
[JMeltzer@gibsondunn.com](mailto:JMeltzer@gibsondunn.com)

**Kathryn Van Namen**  
BUTLER SNOW LLP  
6075 Poplar Ave.  
Suite 500  
Memphis, TN 38119  
901-680-7267  
901-680-7201 (fax)  
[kate.vannamen@butlersnow.com](mailto:kate.vannamen@butlersnow.com)

*Attorney for Defendant Dollar Tree, Inc.,  
Family Dollar, Family Dollar Inc., Family Dollar  
Services, LLC, Family Dollar Stores of Arkansas  
LLC*

Jeff P. Doss  
400 20th St. N.  
Birmingham, AL 35203  
205-581-0700  
[jdoss@lightfootlaw.com](mailto:jdoss@lightfootlaw.com)

Amaobi Joseph Enyinnia  
Lana Alcorn Olson  
Lightfoot Franklin White  
400 20th Street North  
Birmingham, AL 35203  
205-581-0714  
205-581-0799 (fax)  
[aenyinnia@lightfoot.com](mailto:aenyinnia@lightfoot.com).

*Attorneys for Defendant Dollar Tree Stores, Inc.,  
Family Dollar Inc.*

Lewis Franklin Powell, III  
Thomas Richard Waskom  
Hunton Andrews Kurth LLP  
951 E. Byrd St., Riverfront Plaza  
Richmond, VA 23219  
804-788-8200  
[lpowell@hunton.com](mailto:lpowell@hunton.com)  
[twaskom@hunton.com](mailto:twaskom@hunton.com)

*Attorneys for Defendant Dollar Tree, Inc.,  
Family Dollar Services, LLC*

Aubrey Harwell, Jr.  
Charles F. Barrett  
Blind X. Akrawi  
Neal & Harwell, PLC  
1201 Demonbreun Street, Suite 1000  
Nashville, TN 37203  
Telephone: (615) 244-1713  
cbarrett@nealharwell.com  
bakrawi@nealharwell.com  
aharwell@nealharwell.com

*Attorney for Plaintiff Jerome Whitney;  
W.D. Tenn.; Case No. 2:22-cv-02138*

John W. (“Don”) Barrett, Esq.  
Katherine B. Riley, Esq.  
Sterling Aldridge, Esq.  
Barrett Law Group, P.A.  
404 Court Square  
Lexington, Mississippi 39095  
Telephone: (662) 834-2488  
dbarrett@barrettlawgroup.com  
kbriley@barrettlawgroup.com  
saldridge@barrettlawgroup.com

Charles J. LaDuca, Esq.  
Brendan S. Thompson, Esq.  
Cuneo Gilbert & LaDuca, LLP  
4725 Wisconsin Ave., NW, Suite 200  
Washington, DC 20016  
Telephone: (202) 789-3960  
charles@cuneolaw.com  
brendant@cuneolaw.com

*Attorneys for Plaintiffs Martha Keisha Lacy, Lorraine Bennett-Freeman, Sheena Bibbs, Nakedra Freeman;  
S.D. Miss.; Case No. 3:22-cv-00098*

Gary M. Klinger, Esq.  
Milberg Coleman Bryson Phillips, PLLC  
227 W. Monroe Street, Suite 2100  
Chicago, IL 60606  
847-208-4585  
gklinger@milberg.com

*Attorney for Plaintiffs Christine Robinson, Linda White; W.D. Tenn.; Case No. 2:22-cv-2182*

Tom Thrash, Esq.  
Thrash Law Firm, P.A.  
1101 Garland St.  
Little Rock, AR 72201  
501-374-1058  
tomthrash@thrashlawfirm.com

Gregory E. Bryant  
Law Office of Greg Bryant  
300 Spring Building, Suite 310  
Little Rock, AR 72201  
501-375-3344  
[gregbryantlaw@gmail.com](mailto:gregbryantlaw@gmail.com)

William Thomas Crowder  
Attorney At Law  
1101 Garland Street  
Little Rock, AR 72201  
501-374-1058  
501-374-2222 (fax)  
[willcrowder@thrashlawfirm.com](mailto:willcrowder@thrashlawfirm.com)

*Attorney for Plaintiff Vinnie L. Smith; E.D. Ark; Case No. 2:22-cv-00043*

Joseph M. Langone, Esq.  
David Wise, Esq.  
Wise Law Firm PLC  
10640 Page Ave, Suite 320  
Fairfax, VA 22030  
703-934-6377  
[jlangone@wiselaw.pro](mailto:jlangone@wiselaw.pro)  
[dwise@wiselaw.pro](mailto:dwise@wiselaw.pro)

Gary Mason, Esq.  
Mason LLP  
5101 Wisconsin Ave NW  
Suite 305  
Washington, D.C. 20016  
[gmason@masonllp.com](mailto:gmason@masonllp.com)

*Attorneys for Plaintiffs Lakindal Smith and Keith Martin; E.D. Va. Case No. 1:22-cv-0208*

Stephen F. Libby, Esq.  
The Law Offices of Stephen F. Libby  
5384 Poplar Ave, Suite 410  
Memphis, TN 38119  
901-343-0777  
[steve@LNlawmemphis.com](mailto:steve@LNlawmemphis.com)

*Attorney for Plaintiff Karen Sharp; E.D. Ark; Case No. 3:22-cv-0090*

Samuel Lee Ivy, Esq.  
Ivy Law, PLLC  
203 S. Shannon St., Fl. 2  
Jackson, TN 38301  
731-300-5232  
[sam@samivylaw.com](mailto:sam@samivylaw.com)

*Attorney for Plaintiff Patricia Ann Rogers; W.D. Tenn.; Case No. 2:22-cv-2159*

James D. Robertson, Esq.  
Barber Law Firm PLLC  
425 West Capitol Ave, Suite 2400  
Little Rock, AR 72201  
501-372-6175  
[jrobertson@barberlawfirm.com](mailto:jrobertson@barberlawfirm.com)

*Attorneys for Plaintiffs Kimberly Brown; E.D. of Ark;  
Case No. 2:22-cv-00040*

Greg Aleshire, Esq.  
Aleshire Robb & Rapp, P.C.  
2847 S. Ingram Mill Road A-102  
Springfield, MO 65804  
417-869-3737  
[galeshire@aleshirerobb.com](mailto:galeshire@aleshirerobb.com)

*Attorneys for Plaintiff Terri Perrone;  
W.D. Mo.; Case No. 6:22-cv-03056*

Steve Martino, Esq.  
Tiffany Ray, Esq.  
Taylor Martino, PC  
P.O. Box 894  
Mobile, AL 36601  
251-433-3131  
[stevemartino@taylormartino.com](mailto:stevemartino@taylormartino.com)  
[tiffany@taylormartino.com](mailto:tiffany@taylormartino.com)

Joseph Stewart Dennis  
Taylor Martino Rowan, PC  
455 St. Louis Street, Suite 2100  
Mobile, AL 36602  
215-433-3131  
[joseph@taylormartino.com](mailto:joseph@taylormartino.com)

*Attorneys for Plaintiffs Muriel Vanessa Brown,  
Donrea Brown, Rosalind Dunning; S.D. Ala.; Case  
No. 2:22-cv-00105*

Patrick Pendley, Esq.  
Pendley Baudin & Coffin  
P.O. Box 71  
Plaquemine, LA 70765  
225-687-6396  
[pwendley@pbclawfirm.com](mailto:pwendley@pbclawfirm.com)

Robert K. Shelquist  
Rebecca A. Peterson  
Craig D. Davis  
Lockridge Grindal Nauen P.L.L.P.  
100 Washington Avenue South, Suite 2200  
Minneapolis, MN 55401  
Telephone: (612) 339-6900  
Facsimile: (612) 339-0981  
E-mail: [rkelquist@locklaw.com](mailto:rkelquist@locklaw.com)

[rapeterson@locklaw.com](mailto:rapeterson@locklaw.com)  
[csdavis@locklaw.com](mailto:csdavis@locklaw.com)

*Attorney for Plaintiffs Reginald Fields and Sonja  
Fields; W.D. La.; Case No. 3:22-cv-00611*

James A. Streett  
Streett Law Firm, P.A.  
107 West Main  
Russellville, AR 72801  
479-968-2030  
[james@streetlaw.com](mailto:james@streetlaw.com)

*Attorney for Plaintiffs Julian A. Graves and Randall  
Robertson, E.D. of Ark., Case No. 2:22-cv-02378*

/s/ J. Gerard Stranch, IV  
J. Gerard Stranch, IV